



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mehrdad Nikoonahad et al.  
Title: Optical System For Measuring Samples Using Short Wavelength Radiation  
Application No.: 10/718,126 Filing Date: November 19, 2003  
Examiner: Not yet assigned Group Art Unit: 2877  
Docket No.: TNCR.197US1 Conf. No.: Not yet assigned

San Francisco, California  
April 19, 2004

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 19, 2004

Signature

Mail Stop Petitions  
COMMISSIONER FOR PATENTS  
P. O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO APPLY FOR PATENT UNDER 37 C.F.R. §1.47(a)**

Sir/Madam:

The invention in the above-referenced application was made by the inventors listed below:

Mehrdad Nikoonahad  
Shing Lee  
Hidong Kwak  
Sergio Edelstein  
Guoheng Zhao  
Gary Janik

Mehrdad Nikoonahad has refused to sign a patent application declaration for the above-referenced patent application. For this reason, a Petition to the Commissioner is made

so that an application for patent may be made by the other joint inventors on behalf of themselves and the omitted inventor. Attached is a declaration by the undersigned setting forth proof of the pertinent facts. As can be seen from the attached declaration, Mehrdad Nikoonahad has refused to sign a declaration for the above-referenced application. The last known address of Mehrdad Nikoonahad is as follows:

271 Oakhurst Place  
Menlo Park, California 94025.

Attached is the required fee of \$130.00 of 37 C.F.R. §1.17(h).

Attached also is a patent application declaration for the above-referenced patent application signed by the available inventors on behalf of themselves and the omitted inventor (whose signature is left blank) under MPEP 409.03(a)(A). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account 502664. A duplicate copy of this document is enclosed.

Respectfully submitted,

  
James S. Hsue  
Reg. No. 29,545